

**REMARKS**

A Reply After Final Rejection was filed in the instant application on December 2, 2004. That Reply included an amendment to claim 1 and new claims 15-17. The Examiner declined to enter the amendments to the claims, indicating in the Advisory Action of December 20 that they raised new issues for consideration or search and that they introduced new matter into the application.

The amendments submitted December 2, 2004 do not introduce any new matter into the application

Applicant submits that the Reply filed December 2, 2004 does not introduce any new matter into the application. The written description in the specification that supports the amendments to the claims was explained in the Remarks submitted in the Reply. That explanation is reproduced below for convenient review by the reader; the Examiner is respectfully requested to consider it.

Support for Amendments

The amendments to the claims are supported at least by the drawing Figures 1-4 of the application. For example, the recitation of a "single" groove is illustrated in Figure 2. The disposition of non-knurled parts between knurled portions (claim 1) is illustrated in Figure 1, as is the absence of knurled portions at the junction of the wide groove and lateral grooves and the disposition of knurled portions between the lateral grooves (claim 15). Figure 2 clearly illustrates the

embodiment of claim 16, in which no feature is present in the small groove that runs along the wide, circumferential groove bottom rib. Figure 1 clearly illustrates the embodiment of claim 17 in which the portion of the wide, circumferential groove not occupied by the groove bottom rib shows only the small ribs forming the knurled portions as any feature.

Comments on Nakagawa

The Examiner relies upon Nakagawa as allegedly disclosing "intermittently disposed knurled parts". The Examiner points to ribs 4(c) in Nakagawa as exemplary. Applicant's Representative appreciates the clarification and notes first that this feature is described in Nakagawa as a "lateral rib"; there is no suggestion that it is intended as a "knurled part" as in the instant application.

Applicant's Representative suggests comparison of Figure 3 of Nakagawa with Figures 1 and 2 of the instant application. A "knurled part" (ref. No. 14) in the instant application is one constituted of a plurality of ribs. In claim 1, this is stated as "the knurled parts are each made up of small ribs", consistent with the illustration in Figures 1 and 2. This should be compared to the single rib that is suggested by the Examiner to constitute a "knurled part" in Nakagawa. That the Examiner has chosen an inappropriate feature in Nakagawa as a "knurled part" is also shown

by noting that the lateral rib 4(c) in Nakagawa extends to the tread of the tire.

It is plain from the above that Nakagawa does not disclose or suggest the feature of the present invention that it comprises a wide circumferential groove, the bottom of which is provided on each side of the groove bottom rib with knurled parts intermittently disposed in the longitudinal direction of the wide circumferential groove.

Accordingly, Applicant again urges that the combination of Ikeda, Nakagawa and Consolacion fails to establish *prima facie* obviousness of the invention as at least the above feature of the invention is not disclosed or suggested by the combination of references cited.

#### Comments on Consolacion

The Examiner indicates that Applicant's arguments about the Consolacion reference are not persuasive because, "an aquachannel is a *type* of groove." (Emphasis in original.)

Applicant's Representative concedes that he had previously been erroneously viewing the tire pattern in Consolacion as one in which the entire portion between grooves 19 (See, Fig. 2) was concave and so not in contact with the road and this was what was considered to be the aquachannel. As urged by the Examiner, the footprint Figure 5 shows that the center part including portions

25a and 25b of Figure 2 is also in contact with the road. However, careful study of Figure 5 shows that the knurled portions 12 still are not found within a continuous groove. The Examiner should note that the knurled portions 12, together with a short lug portion 23b, alternate with a lug portion 23c (Figure 2) in the aquachannel. Thus, Applicant's conclusion that Consolacion does not disclose knurled portions within a continuous groove remains sound, as does Applicant's argument that the combination of references cited by the Examiner fails to establish *prima facie* obviousness of the invention.

For the reasons urged in Applicant's Reply filed December 2, 2004, as clarified herein, all of the standing rejections of the present claims 1, 2 and 4-14 should be withdrawn. Claims 15-17 should be added to the present application and allowed.

The present application well-describes and claims patentable subject matter. The favorable action of allowance of the pending claims and passage of the application to issue is respectfully requested.

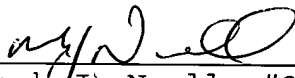
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell (Reg. No. 36,623) at the telephone number of the undersigned below, to conduct an interview

in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Mark J. Nuell, #36,623

DRN/mua  
0229-0680P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000